

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>SPF OWNER LLC &amp; PHILADELPHIA 76ERS, L.P.</b>  <b>v.</b>  <b>HARTFORD FIRE INSURANCE COMPANY</b>	<b>CIVIL ACTION</b>  <b>NO. 22-1333</b>
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**ORDER RE: DISMISSAL OF COMPLAINT SEEKING DAMAGES FOR  
BUSINESS INTERRUPTION DUE TO COVID-19**

**AND NOW**, this 16<sup>th</sup> day of October, 2024, it is **ORDERED**:

Plaintiff, SPF Owner LLC, operates a facility for sporting events and the second Plaintiff, Philadelphia 76ers, L.P., is a professional basketball team. Plaintiffs filed this lawsuit seeking damages for business interruption and other relief arising out of the covid-19 pandemic. This Court stayed proceeding pending final rulings on whether Pennsylvania law would allow these claims to proceed, which was recently answered by the Pennsylvania Supreme Court in the negative. See Ungarean v. CAN & Valley Forge Ins. Co., \_\_ A.3d \_\_, 2024 WL 4293339 (Pa. Sept. 26, 2024). This Court must follow this decision and **GRANT** the Rule 12 Motions to Dismiss.

**BY THE COURT:**

**s/ Michael M. Baylson**

**MICHAEL M. BAYLSON, U.S.D.J.**